

# NEW YORK STATE SECURITY BREACH REPORTING FORM

## Pursuant to the Information Security Breach and Notification Act (General Business Law §899-aa)

**Name and address of Entity that owns or licenses the computerized data that was subject to the breach:**

Burke Law, P.C.  
Street Address: 77 College Street, Suite 2C  
City: Burlington State: VT Zip Code: 05401

**Submitted by:** Sue Friedberg Title: Legal Counsel Dated: 12/18/2018  
Firm Name (if other than entity): Buchanan Ingersoll & Rooney, PC  
Telephone: (412) 562-8436 Email: sue.friedberg@bipc.com  
Relationship to Entity whose information was compromised: Legal Counsel

**Type of Organization** (please select one): ☐ Governmental Entity in New York State; ☐ Other Governmental Entity;  
☐ Educational; ☐ Health Care; ☐ Financial Services; ☒ Other Commercial; or ☐ Not-for-profit.

**Number of Persons Affected:**

Total (Including NYS residents): 89 NYS Residents: 7 **Not Applicable**  
If the number of NYS residents exceeds 5,000, have the consumer reporting agencies been notified? ☐ Yes ☐ No

**Dates:** Breach Occurred: 10/2/2018 Breach Discovered: 10/2/2018 Consumer Notification: 11/24/2018

**Description of Breach** (please select all that apply):

- ☐ Loss or theft of device or media (e.g., computer, laptop, external hard drive, thumb drive, CD, tape);  
☐ Internal system breach; ☐ Insider wrongdoing; ☒ External system breach (e.g., hacking);  
☐ Inadvertent disclosure; ☐ Other specify: \_\_\_\_\_

**Information Acquired:** Name or other personal identifier in combination with (please select all that apply):

- ☐ Social Security Number  
☒ Driver's license number or non-driver identification card number  
☒ Financial account number or credit or debit card number, in combination with the security code, access code, password, or PIN for the account

**Manner of Notification to Affected Persons - ATTACH A COPY OF THE TEMPLATE OF THE NOTICE TO**

**AFFECTED NYS RESIDENTS: See Exhibit A attached hereto.**

☒ Written ☐ Electronic ☐ Telephone ☐ Substitute notice

List dates of any previous (within 12 months) breach notifications: **Not Applicable**

**Identify Theft Protection Service Offered:** ☐ Yes ☒ No

Duration: \_\_\_\_\_ Provider: \_\_\_\_\_  
Brief Description of Service: \_\_\_\_\_

**Exhibit A**

**Template Notice Letters**

Please see attached. Clients of Burke Law, P.C. received a copy of the first notice letter attached hereto. Non-clients of Burke Law, P.C. received a copy of the second notice letter attached hereto.



*Attorneys at Law*  
Jessica Burke, Esq.  
Zachery Weight, Esq.  
Leah Henderson, Esq.

«Date»

«First\_Name» «Middle\_Name» «Last\_Name»

«Address\_1»

«Address\_2»

«City», «State» «Zip»

Re: Notice of Data Breach

Dear «First\_Name»:

We are writing to inform you of a recent incident that may have exposed to unauthorized access information that you, someone you know, or a third party provided to Burke Law, P.C. On October 2, 2018, we first learned that an unknown person may have accessed one of our employees' email accounts without permission. The information contained in the email account may have included some of your personal information.

We take this matter very seriously because the security of your personal information is very important to you and to us. As soon as we learned of this unauthorized access, we immediately launched an investigation to understand what happened and initiated actions to try to prevent something like this from happening again. We are providing this notice to you as a precautionary measure, to inform you of the incident and to explain some steps you can take to protect your information. **At this time, we have no information indicating that any of your information has been inappropriately used by anyone.**

### **What Happened**

On October 2, 2018, we first learned that an unknown person may have accessed one of our employees' email accounts without permission. We immediately engaged a leading cybersecurity forensic investigation firm to help identify which email accounts were compromised by the attack. At this time, based on the forensic investigation, we believe that the attack was contained to a single employee's email account. Upon review of the emails potentially compromised in the attack, we determined that some of these emails contained personal information, which is why we are notifying you now.

### **What Information Was Involved**

We believe that the information contained in the email account may have exposed your personal information, such as name, address, birthdate, driver's license information, and medical information to the unknown person. The affected emails may also have contained confidential information about your legal matters. We have no reason to believe that the intruder was looking for that type of information, but rather was looking for information that can be used to falsify a person's identity in order to operate a scam or credit fraud. We will notify you immediately if we have any concern that this breach may in any way compromise your legal position or the outcome of your matter. Again, at this time, we have no information indicating that any of your information has been inappropriately used by anyone.

### **What We Are Doing**

As part of our investigation, we immediately reset account passwords, made them stronger, and now require more frequent password changes. To further enhance security, we added new security features to email accounts and strengthened our security monitoring. Additionally, we are assessing our security practices so that we are continually vigilant about cybersecurity threats and prepared for attacks. We will continue to

educate our staff on how to avoid the tricks and tactics that unauthorized individuals may use to gain access to our email.

### **What You Can Do**

As a precautionary measure, we advise you to take appropriate steps to protect your personal information. We recommend that you remain vigilant to the possibility of fraud and identity theft by reviewing and monitoring your account statements and free credit reports for any unauthorized activity. If you find unauthorized or suspicious activity, you should immediately contact your credit card company, financial institution, and/or law enforcement. By law, you are now entitled—at no charge—to place a credit freeze on all the credit agency reports about you, and to lift that freeze when you wish at no charge. Information about what to do to set up a credit freeze is available here: <https://www.consumer.ftc.gov/blog/2018/09/free-credit-freezes-are-here>.

### **For More Information**

Please contact us with any questions and concerns by calling (802) 318-8076 and leaving a message that references this letter.

We sincerely apologize for any inconvenience and concern this incident has caused you. The security of your information is very important to us and we are committed to protect your information.

Sincerely,

A handwritten signature in black ink, appearing to read 'JB' or 'Jessica Burke', written in a cursive style.

Jessica Burke, Esq.  
Owner, Burke Law, P.C.



*Attorneys at Law*  
Jessica Burke, Esq.  
Zachery Weight, Esq.  
Leah Henderson, Esq.

«Date»

«First\_Name» «Middle\_Name» «Last\_Name»

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A handwritten signature in black ink, appearing to read 'JB' or 'Jessica Burke', written in a cursive style.

Jessica Burke, Esq.  
Owner, Burke Law, P.C.

## Schnitzer, Steven

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**From:** Brennfleck, Michelle Garvey <michelle.brennfleck@bipc.com>  
**Sent:** Wednesday, December 19, 2018 12:25 PM  
**To:** Breach Security; risk@nysic.ny.gov; security\_breach\_notification@dos.ny.gov  
**Cc:** [REDACTED]  
**Subject:** New York State Security Breach Reporting Form  
**Attachments:** Burke Law \_Data Breach Notice Form \_ New York.pdf

Dear Sir or Madam,

Attached please find a copy of the New York State Security Breach Reporting Form, with attachments, submitted on behalf of our client, Burke Law, P.C., in accordance with the Information Security Breach and Notification Act.

If you require any additional information, please do not hesitate to contact us.

Thank you,

Michelle Brennfleck

**Michelle G. Brennfleck**

**Associate**

One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1410  
412 562 1822 (o)  
217 971 3995 (c)

[michelle.brennfleck@bipc.com](mailto:michelle.brennfleck@bipc.com)

vCard | [Bio](#) | [BIPC.com](#) | [Twitter](#) | [LinkedIn](#)

**Buchanan Ingersoll & Rooney PC**

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